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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,237	11/13/2003	Joseph Wayne Freeman	RPS920030150US1	8584

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BOCA RATON, FL 33487

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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12/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/712,237

Applicant(s)

FREEMAN ET AL.

Examiner

Venkat Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 8-10, 15-17 are rejected under 35 U.S.C. 103(a) as unpatentable over US Patent 2004/0030877 to Frid in view of US Patent 2002/0194482 to Griffin et al.(hereinafter Griffin) and further in view of US Patent 6487656 to Kim et al.(hereinafter Kim).
2. Regarding Claim 1, 8, 15, Frid discloses the resetting of computing system see Par. 0022 ; executing boot block code; reading bits in register storing boot code, where register indicates whether segments have been updated see Fig.2 item 33. But does not explicitly disclose obtaining values from table storing hashed values from previous measurement of POST/BIOS if segments of flash memory have not been updated. However, Griffin discloses the obtaining values from table storing hashed values from previous measurement of BIOS if segments of flash memory have not been updated see Par. 0052 & Par. 0056 & Par. 0061 & Fig. 5 & Fig. 7. It would be obvious to one having ordinary skill in the art at the

time of the invention to include the obtaining values from table storing hashed values from previous measurement of BIOS if segments of flash memory have not been updated in the invention of Frid in order to provide integrity check and periodical update as taught in Par. 0012. Kim further discloses the POST activities see Fig. 6 item 602, and this action can be modified by Griffin who uses hash of BIOS to check to see updates so that POST activities(i.e. system activities) as well as BIOS activities(processor activities) is checked see Fig. 3 item 310 & 320.

3. Regarding Claim 2, 9, 16, Frid discloses the transmitting of values to modules see Par. 0018-0019.
4. Regarding Claim 3, 10, 17, Frid discloses the setting control bit so that no other device can set bits read and executing POST BIOS see Par. 0031 & Par. 0035.
5. Claim 4-7, 11-14, 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 2004/0030877 to Frid in view of US Patent 2002/0194482 to Griffin et al.(hereinafter Griffin), further in view of US Patent 6487656 to Kim et al.(hereinafter Kim) and further in view of US Patent 2004/0186988 to Polyudov.
6. Regarding Claim 4, 11, 18, Frid discloses performing measurement of segment storing POST BIOS that have been updated see Par. 0022 & Par. 0023. But does not disclose the performing look-up in table of previous measurements of segment updated and comparing

the measured value with looked-up value. However, Polyudov discloses the performing look-up in table of previous measurements of segment updated and comparing the measured value with looked-up value see Fig. 4 –6 & Par. 0038. It would be obvious to one having ordinary skill in the art at the time of the invention to include the performing look-up in table of previous measurements of segment updated and comparing the measured value with looked-up value in the invention of Frid in order to have target update of processors as taught in Polyudov see Par. 0040.


7. Regarding Claim 5-6, 12-13, 19-20, Frid discloses taking appropriate security measures when values are not equal and see resetting when they are equal see Par. 0022.
8. Regarding Claim 7, 14, 21, Frid discloses the transmitting of values to modules see Par. 0018-0019 & Fig. 3 item 341.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VP/
Venkat Perungavoor
Examiner
Art Unit 2132
December 4, 2007


Benjamin E. Galt
Primary Examiner
AU 2132